REMARKS

Claims 9-16 remain pending in this application. None of the claims have been amended in this response.

Claims 9, 14 and 15 were rejected under 35 U.S.C. §102(e) as being anticipated by *Yoshida et al.* (US Patent 6,466,562). Claims 10 and 16 were rejected under §103(a) as being unpatentable over *Yoshida et al.* (US Patent 6,466,562). The Applicants respectfully traverse the rejections. Favorable reconsideration is respectfully requested. Claims 12 and 13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The cited art, alone or in combination, does not disclose not teach all the elements in the present invention. Specifically, *Yoshida* does not disclose "a receiving unit for receiving both useful data and filling data which arrive as a data stream with a constant data rate via a circuit-switched connection of a first communications network" as recited in claim 14. The transceiver 29 in *Yoshida* is not configured for receiving useful data and filling data as recited in the claim, but instead is arranged between personal stations 12 and base station 14 of the handy-phone system in order to receive modulated carrier signals transmitted from personal stations 12 (see FIG. 5, col. 6, lines 18-36).

Furthermore, *Yoshida* does not disclose the feature of "removing the filling data contained in the data stream with the constant data rate, reformatting the useful data contained in the data stream with the constant data rate as a data stream with a variable data rate, and sending the data stream with a variable data rate via a packet-oriented connection of a second communications network" as recited in claim 9 and similarly recited in claim 14.

Instead, *Yoshida* discloses a system and method where data streams, having a constant data rate, are reformatted into data streams having a second constant data rate (col. 8, lines 7-12). Thus, *Yoshida* is completely silent on reformatting a constant data rate to a variable data rate as recited in the present disclosure. Furthermore, PHS systems, such as the type disclosed in *Yoshida*, only take into consideration data rates that are constant (i.e., half rate or full rate – see col. 1, lines 43-45, 61-67).

Also, the disclosure teaches away from the presently claimed invention because *Yoshida* provides combined mode data manipulation operations wherein data from plural PHS slots is

transmitted to and from a single B channel slot (col. 8, lines 37-41). Accordingly, the disclosure in *Yoshida* avoids converting non-restricted full rate PHS data to 64 bit ISDN B-channel data by adding "dummy" bits to PHS data to create a B channel slot (col. 8, lines 14-20). This configuration is contrary to the one recited in the present claims.

For at least these reasons, the Applicants submit that the rejections under 35 U.S.C. §102 and §103 are improper and should be withdrawn. An early Notice of Allowance is earnestly requested.

A petition for a one-month extension of time has been submitted with this response, along with a check in the amount of $110. If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket number (112740-113) on the account statement.

Respectfully submitted,

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